

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Facebook, Inc.,

NO. C 08-05780 JW

Plaintiff,

**ORDER GRANTING REQUEST FOR  
PERMISSION TO E-FILE**

v.

Power Ventures, Inc., et al.,

Defendants.

On July 2, 2012, the Court issued an Order Granting Bursor & Fisher, P.A. and Bramson, Plutzik, Mahler & Birkhaeuser, LLP's Motions to Withdraw as Defense Counsel.<sup>1</sup> In that Order, the Court also directed Defendants to file Notices of Identification of Substitute Counsel or Self-Representation on or before July 17, 2012. (*Id.* at 2.) On July 19, 2012, not having received notices from either Defendant, the Court set an Order to Show Cause hearing regarding Defendants' failure to identify replacement counsel.<sup>2</sup> On July 26, 2012, the Court received Defendant Vachani's Response to the Court's Order to Show Cause.<sup>3</sup> In his Response, Defendant Vachani requests that the Court grant him an additional thirty to sixty days to retain new counsel. (*Id.* at 2.) Defendant

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<sup>1</sup> (See Order Granting Withdrawal of Bursor & Fisher, P.A., and Bramson, Plutzik, Mahler & Birkhaeuser, LLP as Defense Counsel, hereafter, "July 2 Order," Docket Item No. 306.)

<sup>2</sup> (See Docket Item No. 308.)


<sup>3</sup> (Response to Order to Show Cause, hereafter, "Response," Docket Item No. 310.)

Vachani also requests permission to e-file so that he can communicate directly with the Court. (Id. at 1.)<sup>4</sup>

Upon review, although it is unclear from his response that Defendant Vachani is declaring self-representation, the Court finds good cause to allow Defendant Vachani to e-file as a *pro se* litigant at this time. Accordingly, the Court GRANTS Defendant Vachani's request for permission to e-file. However, the Court declines to grant Defendant Vachani additional time to secure counsel at this time.<sup>5</sup> The Court maintains the Order to Show Cause hearing on **August 6, 2012 at 9 a.m.** as previously scheduled.

The Court refers Defendant Vachani to the Clerk of Court for instructions regarding how to use the electronic filing system.

Dated: July 31, 2012

  
 JAMES WARE  
 United States District Chief Judge

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<sup>4</sup> Defendant Vachani contends that because he has not received the Court's Orders regarding substitution of counsel directly from the Court he was not properly served with them. (Id.) The Court finds that this contention is disingenuous, as Defendant Vachani was properly served with the Court's Orders through his former counsel. (See Docket Item No.307.)

<sup>5</sup> In his response, it appears that Defendant Vachani is attempting to also respond on behalf of the corporate Defendant, Power Ventures. As is discussed in the Court's July 2 Order, while Defendant Vachani may proceed *pro se* if he files a notice informing the Court of this decision, Defendant Power Ventures must be represented by a member of the bar and may not proceed *pro se* because of its status as a corporation. (See July 2 Order at 2.)

**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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**Dated: July 31, 2012**

**Richard W. Wieking, Clerk**

By: /s/ JW Chambers  
**William Noble**  
**Courtroom Deputy**